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Governor's Joint Natural Resources Cabinet Works to Address Salmon Restoration Issues

Erik Fairchild

The Governor has convened the directors and secretaries of natural resource related agencies to address key salmon and water policy issues facing the state of Washington. The primary focus of this group, the Joint Natural Resources Cabinet (Joint Cabinet), is to develop a coordinated approach to restore healthy salmon, steelhead, and trout populations in the waters of our state. Special emphasis will be placed on issues relating to restoration and protection of fish habitat. The Joint Cabinet is also planning to address other water policy related issues that may have an impact on fishery issues. The Joint Cabinet is coordinating its efforts with the Government Council on Natural Resources (GCNR). The GCNR includes state, tribal, local and federal government representatives. This group will provide a much needed forum for coordination, information sharing, and partnering among the various governmental entities which must, together, provide the leadership in finding solutions to some very complex problems.

In addition to providing leadership and input into proposed legislative initiatives affecting salmon and water policy issues throughout the 1998 legislative session, the Joint Cabinet is also drafting the state's Salmon Strategy to respond to pending Endangered Species Act (ESA) listings. This strategy is being drafted to identify highest-priority problems and provide a framework for making decisions about salmon habitat, water use, water pollution, barriers that block fish migration in rivers and streams, fish harvest, and hatcheries. The draft salmon strategy is available on the state's fish Web site: www.wa.gov/esa. Finally, the Cabinet is also providing oversight and review of the Lower Columbia Steelhead Initiative, which provides a framework to address steelhead listings in the Lower Columbia basin, and the efforts of the newly formed Governor's Salmon Team.

The Joint Cabinet is closely involved with the development and review of the multitude of proposed salmon funding, watershed planning, and water policy bills currently being considered by the Legislature. In particular, the Cabinet is working proposed HB 2496 and SHB 2514. HB 2496 creates regional councils responsible for the development of habitat work schedules (identification, funding, and monitoring of projects), and salmon restoration plans. This bill also formally creates a salmon recovery office, independent science council to review proposed salmon recovery efforts, and contains other provisions related to fish recovery and enhancement efforts. SHB 2514 creates a local integrated watershed management planning process to address water quality, water quantity and/or protection, and enhancement of water-related wildlife and fish habitat. Both bills are geared toward providing the mechanisms for the state to respond to pending ESA listings by the federal government. If you have any questions on these efforts, please contact Erik Fairchild at (360) 586-5207. §

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Bill Watch

Bill Watch this week is shorter than in previous issues. Many bills the *Legislative Update* had been tracking have not advanced passed cutoff in either their committee of origin or fiscal committee. These bills, by prior legislative agreement, cannot be further considered unless they are incidental to the budget.

DATA AND CONFIDENTIALITY

SHB 2914: HIV Test Reporting

Directs the Governor to convene a 15 member task force to develop a state wide pilot project to implement an HIV surveillance system. Requires the task force to report to the State Board of Health by 10/1/98. Any pilot project developed must assure access to federal funding. **House Passed 3rd.**

SB 5298: Genetic Information and Discrimination

Prohibits a health carrier from denying or cancelling health coverage, or vary premiums, terms, or conditions for health plan coverage on the basis of genetic information or because of a request for genetic services. Prohibits a carrier from requiring disclosure of genetic information from an enrollee or a prospective enrollee. A carrier may not disclose such information, if obtained, without the enrollee's prior written consent. **Senate Rules.**

SB 6329: Health Care Information Disclosure

Authorizes disclosure of health care information without patient's authorization to county coroners and medical examiners for investigations of deaths. **Senate 2nd Reading.**

SSB 6651: Prescription Electronic Transfer

Authorizes information concerning an original prescription or information concerning a prescription refill for a legend drug to be electronically communicated to a pharmacy of the patient's choice pursuant to the provisions of this act if the electronically communicated prescription information complies with designated requirements. **Senate 2nd Reading.**

DISEASE PREVENTION & CONTROL

SHB 2366: Good Samaritan Disease Tests

Provides that any person who, without compensation or the expectation of compensation, renders emergency care at the scene of an emergency that brings them into contact with bodily fluids shall be provided the opportunity to have infectious disease testing provided

by a local public health department free of charge, provided the person needing the test has no insurance coverage. **House passed 3rd.**

SHB 2413: Sexually Transmitted Disease Disclosure Revises RCW 70.24.105 to provide for disclosure of sexually transmitted disease information to a person rendering emergency care or transportation, commonly known as a "good Samaritan". **House passed 3rd. Senate Health & Long Term Care. Public Hearing: Senate Hearing Room 4, 2-19-98, 10AM.**

ENVIRONMENTAL HEALTH

2E2SHB 1354: Air Pollution Control

Requires the Department of Ecology to establish a scientific advisory board to review plans to create or expand an inspection and maintenance system for motor vehicle emissions. Exempts from the requirements for emission inspection collector cars as identified by the department of licensing under RCW 46.16.305(1), or beginning January 1, 2000, vehicles that are less than five years old or more than twenty-five years old.

Directs the Department of Ecology to evaluate changes to the motor vehicle emission inspection program made in RCW 46.16.015(2)(j) and other options that meet air quality objectives and lessen the effect of the program on the motorist. The department shall consider air quality, program costs, and motorist convenience in its evaluation, and make recommendations for changes to the program to the appropriate standing committees of the legislature by January 1, 1999. Provides that the act shall be null and void if appropriations are not approved. **Senate Agriculture & Environment. Public Hearing: Senate Hearing Room 3, 2-18-98, 8AM.**

SHB 1692: Port District Aquatic Lands

The only lands that may be included in a port district aquatic lands management agreement are those state-owned aquatic lands abutting or used in conjunction with and contiguous to uplands owned, leased, or otherwise managed by a port district. Upon request of a city, the department and city may enter into an agreement authorizing the city to manage state-owned aquatic lands for the purpose of operating a publicly owned marina. Directs the development of a proposed model management agreement that shall be used as the basis for negotiating the management agreements required by this section. The model management

agreement shall be reviewed and approved by the board of natural resources. **Senate Natural Resources & Parks. Public Hearing: Senate Hearing Room 2, 2-19-98, 10AM.**

HB 2303/SSB 6140: Regulating Public Water Systems

Declares that a receiving public water system's use may exceed its water right authorization if the receiving public water system's withdrawal does not exceed the instantaneous or annual withdrawal rate specified in the receiving public water system's water right authorization. Requires the department not to consider the existence of interties when the department makes a determination on applications for new water rights, changes, or transfers by a public water system that is receiving or may receive water through an intertie. **House Rules/Senate Rules.**

EHB 2414: Outdoor Burning Compliance

Extends the time in which to comply with outdoor burning prohibitions for cities under 10,000 to December 31, 2006. **House passed 3rd.**

2SHB 2496: Salmon Recovery Efforts

Requires critical path scheduling information be used to facilitate salmon recovery efforts. The schedule shall prioritize recovery efforts, show progress on projects, and thereby provide a historic record of recovery activities. The schedule shall set the scope of restoration efforts in each watershed. The schedule shall portray all recovery efforts in the watershed. Requires the critical path schedule to show the time frames in which restoration activities may occur in the watershed. The department will facilitate the scheduling process by providing information regarding the following: (1) All hatchery broodstock and release activities; (2) all wild run equilibrium broodstock and hatch activities; (3) the predicted run return times for all runs; and (4) the identification of the species and weak stock water resource inventory areas in the evolutionarily significant unit region. **House 2nd Reading.**

SHB 2514: Integrated Watershed Management

Declares an intent of this act to provide locally based groups with the opportunity to: assess local water supplies and needs and develop strategies to provide adequate water for economic prosperity and environmental protection while protecting existing water rights; review water quality problems and develop a strategy

for achieving compliance with water quality standards; and formulate plans for protection and enhancement of water-related wildlife and fish habitat. **Senate Agriculture & Environment. Public Hearing (if passes Senate): Senate Hearing Room 3, 2-19-98, 8AM.**

HB 2537/SB 6131: Shellfish Sanitary Control

Provides that a person whose license or certificate of approval is denied, revoked or suspended as a result of violations of chapter 69.30 RCW may not participate to any degree in a shellfish operation. **House Passed 3rd/Senate Passed 3rd.**

HB 2542: Rural Counties/Growth Management

Provides that a rural county that adopts a resolution removing the county, and the cities located within the county, from the requirement to plan under the Growth Management Act remains subject to the requirements for the designation and protection of critical areas and the designation of natural resource lands. **House Rules.**

2SHB 2618/SSB 6474: Fertilizer Regulation

Declares an intent to strengthen the state's fertilizer adulteration laws to protect human health and the environment by: ensuring that all fertilizers meet standards for allowable metals; allowing fertilizer purchasers and users to know about the contents of fertilizer products; clarifying the department of ecology's oversight authority over waste-derived fertilizers; and authorizing additional studies on plant uptake of metals. Makes an appropriation of \$407,747 from the general fund to the department of agriculture for the purposes of this act. **House Rules/Senate Rules.**

HB 2670: Growth Management Planning

Eliminating grant and loan preferences for growth management act planning. Repeals county-wide planning policy incentives. **House Rules.**

EHB 2791: Methamphetamine Crimes

Provides that the manufacture or possession of ephedrine or pseudoephedrine with intent to manufacture methamphetamine in or near a residence in which a minor resides is a "most serious offense" under RCW 9.94A.030. Provides that funds may also be appropriated to local governments for a program to assist in the cleanup of sites of methamphetamine production. Funds from this program shall not be used for the initial containment of such a site. **House Passed 3rd.**

SHB 2800: Small City Water Rights

Finds that an application to withdraw ground water filed with the Department of Ecology serves overriding considerations of the public interest when all of the following criteria are met: the application is either filed or held, through assignment or otherwise, by a city with a population no greater than five thousand at the time the application is filed; the city has a sole source of firm water supply and that source might be at risk of failure due to contamination or to source location factors including but not limited to steep slope and other geologic hazards; the city has a comprehensive plan approved under the Growth Management Act and the plan includes an urban growth area that the city will be required to serve; the city's current water supply is insufficient to meet the future demand forecast in the plan throughout the ten-year period beginning with the adoption by the city of the plan; the city has no currently available reasonable alternative source or supplier of water to meet the demand; and the city has identified a permanent alternative firm supply of water to meet the forecasted demand that the city reasonably expects to become available within ten years of the date of the adoption by the city of the plan. **Senate Agriculture & Environment. Public Hearing (if passes Senate): Senate Hearing Room 3, 2-18-98, 8AM.**

2SHB 2915: Dairy Nutrients

Establish an inspection and technical assistance program for dairy farms to address the discharge of pollutants to surface and ground waters of the state that will lead to water quality compliance by the industry. Creates a balanced program involving technical assistance, regulation, and enforcement with coordination and oversight of the program by a committee composed of industry, agency, and other representatives. **House Rules.**

HB 3106: Wells/ Groundwater Withdrawal

Declares that a group of wells drilled by the same person or group at or about the same time in the same area for the same purpose or project constitutes a single withdrawal for the purposes of RCW 90.44.050 and is not exempt from the permitting requirement if the total amount withdrawn for use exceeds five thousand gallons per day. **House Rules.**

ESB 6123: Animal Health

Designates the authority and responsibility of the director of agriculture to supervise the prevention of the

spread and the suppression of infectious, contagious, communicable, and dangerous diseases affecting animals within, in transit through, and imported into the state. **House Agriculture and Ecology. Public Hearing: House Hearing Room A, 2-18-98, 8AM.**

SB 6139: Amphetamine Penalties

Increases penalties for manufacture and delivery of amphetamine. **Senate Rules.**

SB 6141: Public Water Systems

Amends the definition of "municipal water supply purposes" to mean that public water system rights certificated, permitted, or authorized by the department to public water systems that are both: granted an operating permit under RCW 70.119A.100 by the department of health or approved by a local county health agency; and expanding public water systems with approved water system comprehensive plans. **Senate Rules.**

SSB 6161: Dairy Nutrient Management

Establishes a credible registration and inspection program for dairy animal feeding operations to address the excessive discharge of nutrients or pollutants to waters of the state and lead to compliance by the industry with water quality laws. Maintains the administration of the water quality program as it relates to dairy operations at the state level. Creates a balanced program involving technical assistance, regulation, and enforcement with coordination and oversight of the program by an advisory committee composed of agency, industry, and other representatives. Clarifies the current coordination procedures and responsibilities between the Department of Ecology, the conservation commission, and conservation districts. Repeals RCW 90.64.005 and 90.64.090. **Senate 2nd Reading.**

SSB 6170: Uranium or Thorium Mills

Declares that the Department of Health may not approve a plan for reclamation, closure or decommissioning of a uranium or thorium mine, mill or tailings facility nor license or license renewal for closure of a uranium or thorium mine that uses a plan for receipt, storage, permanent impoundment, or disposal of radioactive materials except where the radioactive materials are produced at a mine associated with, and under the same operator or ownership as the licensed site or proposed licensed site. **Senate Rules.**

SSB 6180: Solid Fuel Burning Devices

Requires the Department of Ecology, in cooperation with local air pollution control agencies and representatives from the hearth products industry and other appropriate stakeholders to make recommendations to the legislature regarding changes in the state's laws related to determining stage one or stage two impaired air quality due to solid fuel burning devices. Ecology and other parties shall recommend how to incorporate the new federal standard in determining first and second stage impaired air quality so as to minimize the likelihood that particulate levels in any area of the state will be in violation of the new federal air quality standard for particulates due to solid fuel burning devices. Ecology shall submit its report and recommendations in writing by December 1, 2000. **Senate Rules.**

ESSB 6203: Authorizing Exemptions From Solid Waste Designations

Allows DOH to exempt one or more categories of material from designation as solid waste for purposes of solid waste management. In adopting such a rule, the department shall consider the following whether the material will be beneficially used or reused; and whether the beneficial use or reuse of the material will present threats to human health or the environment.

Authorizes DOH to assess a civil penalty in an amount not to exceed \$1,000 per day, per violation to any person exempt from solid waste permitting, who fails to comply with the terms and conditions of the exemption. Each violation is a separate and distinct offense, and in the case of a continuing violation, each day's continuance is a separate and distinct violation. **Senate Passed 3rd.**

SSB 6250: Geoduck Diver Licenses

Declares that, after July 1, 1998, no new geoduck diver licenses shall be issued unless fewer than fifty persons are eligible for renewal. A person may renew an existing license only if the person held a geoduck diver license for four of the seven years 1991 through 1997, or acquired the license by transfer from someone who held it during the previous year, and if the person has not subsequently transferred the license to another person. Provides that geoduck diver licenses are not transferable except from parent to child, from spouse to spouse during marriage, as a result of marriage dissolution or property settlement, or upon death of the license holder. **Senate Rules.**

SSB 6344: Low Level Radioactive Waste

Declares that, when the transportation of low-level radioactive waste from outside the state into a county within the state is authorized, any county through which such waste will be transported may assess county impact fees to cover the cost reasonably necessary for the county to prepare for and respond to the movement of such waste through the county. **Senate Rules.**

SSB 6497: Taking of Private Property

Declares that it is the public policy of the state of Washington that state agencies and local governments, in planning and carrying out governmental actions, anticipate, be sensitive to, and account for the obligations imposed by the fifth and the fourteenth amendments of the United States Constitution and Article I, section 16 of the state Constitution. It is the purpose of this act to reduce the risk of undue or inadvertent burdens on private property rights resulting from certain lawful governmental actions. **Senate Rules.**

FAMILIES & CHILDREN**ESHB 1194: Breast Feeding In the Workplace**

Requires employers to provide a clean and secure location at the place of employment where a female employee can express breast milk. Clarifies that a mother breast-feeding her child cannot be construed as indecent exposure. **Senate Commerce & Labor.**

SHB 1407: Matter Harmful to Minors

Prohibits the sale or display of matter which is harmful to minors. This is defined as sexually explicit material that appeals to the prurient interest of the minor. Provides affirmative defenses to prosecution for violations of the act, including the parental consent being given to a minor. Makes a violation of the act a gross misdemeanor offense. Does not exempt health education materials from the purposes of this act. **House Rules.**

SHB 2308: School Tests/Parent Consent

Confirms that it is within the rightful authority of parents to determine how much personal information regarding their child and their family is divulged to schools and individual educators. Requires prior parental consent for the administration of tests, questionnaires, and surveys that elicit the personal beliefs or practices of a student or a student's family regarding sex or religion. Requires that all instruction materials, including teacher's manuals, films, tapes, or other

supplementary material that will be used in connection with any test, questionnaire, survey, analysis, or evaluation in a school shall be available for inspection by the parents or legal guardians of the students and by any member of the school board. Provides that schools shall give parents and students effective notice of their rights under this act. Surveys that undergo review by the Human Subjects Research Review Board are exempted from most of the provisions in this bill. **House Rules.**

SHB 2332: School Laws and Rules Waivers

Declares that the legislature should continue to consider the provisions relating to the waivers of laws and rules pertaining to schools. **House Rules.**

SHB 2395: Partial Birth Abortions

Provides that any physician who knowingly performs a partial-birth abortion and thereby kills a human fetus is guilty of a felony and is fined \$4,000 or imprisoned for two years, or both. This act shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury. Requires approval by the people at the next general election. **House Rules.**

SHB 2422: Parents' Rights in Education

Allows parents to: make a complaint to the school board and have the complaint heard at a public hearing regarding instructional and library materials the parent deems objectionable; exclude their child from sex education and HIV/AIDS classes without prior presentation of the materials, and be involved in evaluation and revision of sex education and HIV/AIDS programs; and exclude their child from scoliosis screening and be involved in instructional materials review committees. **House Rules.**

HB 2669: Non-Academic Subject Parent Consent

Requires schools desiring to provide instruction in non-academic subject matter regarding suicide, euthanasia, or human sexuality issues dealing with sex education, sexually transmitted diseases, contraception, or sexual orientation, to provide such instruction as an independent unit within a curriculum offering. Requires all independent units offered to be elective and requires prior parental written consent before a student participates in the unit offering. **House Rules.**

2SHB 3008: Drug-Affected Children

Requires dependency investigations for infants born

drug affected. Requires a health care provider primarily responsible for the supervision of the birth of an infant, who has reasonable cause to believe an infant has been exposed to non-prescription use of controlled substances to: conduct appropriate tests to determine whether the infant is drug-affected; notify DSHS of the name and address of the parents of an infant who is drug-affected; and refer the infant to DSHS for placement in a birthing facility or interim pediatric care center for medical treatment. Directs DSHS to operate a pilot project to provide services to women who give birth to infants exposed to the non-prescription use of controlled substances by the mother during pregnancy. This bill is null and void if not referenced in the supplemental operating budget. **House Rules.**

HB 3103: Newborn Screening

Directs the department of health, in consultation with appropriate medical professionals, to develop screening criteria for use in identifying pregnant or lactating women addicted to drugs or alcohol who are at risk of producing a drug-affected baby. **House 2nd Reading.**

3SSB 5278: Mother of Drug-Addicted Baby

Requiring court-ordered use of long-term pharmaceutical birth control for mothers who have given birth to a baby with drug addiction. Directs the Department of Social and Health Services to operate four pilot projects in communities served by the parent and child assistance program to provide services to drug-addicted women who give birth to drug-addicted infants. A first referral of a drug-addicted woman who has given birth to a drug addicted baby shall result in the offering of: voluntary chemical dependency treatment, counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and voluntary family planning information, education, and counseling; A second referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: mandatory chemical dependency treatment, counseling, and support services, modeled after the successful six-year demonstration birth-to-three program at the University of Washington; and voluntary long-term birth control and related education and counseling. A third referral of a drug-addicted woman who has given birth to a drug-addicted baby shall result in the provision of: mandatory chemical dependency treatment, counseling, and support services; and mandatory long-term birth control and related education and counseling through the procedure established

under this act. All pilot programs and interventions for activities within this bill are to be accomplished within available funds.

Designates procedures to file a petition with the superior or district court related to the woman's participation in chemical dependency treatment, counseling, and support services and the use of long-term pharmaceutical birth control. **Senate Rules.**

SSB 6247: Sexually Explicit Matter/Minors

Declares that a person is guilty of unlawful display of sexually explicit material to a minor if the person knowingly shows such material on a viewing screen so that the sexually explicit material is visible to a minor who is not trespassing. **Senate Rules.**

SSB 6290: Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian and receives consent from the parent or guardian to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person.

Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor. Declares that any physician who intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification, shall be guilty of a gross misdemeanor. **Senate 2nd Reading.**

SSB 6338: Abortion/Parental Notification

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-

eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion. Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person. Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor. Declares that any physician who intentionally performs an abortion with knowledge that, or with reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent person, without providing the required notification shall be guilty of a gross misdemeanor. Refers the bill to the people for ratification at the next general election. **Senate Rules.**

SB 6339: Declaring English To Be The Common Language

Recognizes the government's affirmative responsibility to encourage and ensure greater opportunities for individuals to learn the common language, as recognized by this act. Establishes a uniform policy for a means of access to public documents and communications in the state and thereby to ensure fair, consistent, and equal practices throughout the state when it comes to providing services. Provides that the common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings. Refers the bill to the people for ratification at the next general election. **Senate Rules.**

SB 6514: Student Catheterization

Provides that school district employees, except those licensed under chapter 18.79 RCW, who have not agreed in writing to perform clean, intermittent bladder catheterizations as part of their job description, may file a written letter of refusal to perform clean, intermittent bladder catheterization of students. The letter of refusal shall not serve as grounds for discharge,

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non-renewable, or other action adversely affecting the employee's contract status. **Senate Rules.**

SSB 6530: Partial Birth Abortions

Declares that any physician who knowingly performs a partial birth abortion and thereby kills a human fetus shall be fined not more than four thousand dollars or imprisoned not more than two years, or both. Does not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury and no other procedure to terminate the pregnancy, including the induction of labor or cesarean section, would suffice for that purpose. Requires approval by the voters at the next general election. **Senate Rules.**

2SSB 6546: School Nurse/Student Ratios

Requires the Joint Legislative Audit and Review Committee to continue the study on health services provided in public schools and to report to the Legislature and The Governor, by December 1, 1998. **Senate Rules.**

SB 6739: Governmental Accounts/Family Impact

Requires assessment of the impact on families before adoption of administrative rules and adoption of local government ordinances or resolutions. State agencies are authorized to enact administrative rules to assist the agency in implementing state laws. It has been suggested that because these rules, ordinances and resolutions may greatly affect families, an analysis of the impact should be conducted prior to enactment. **Senate 2nd Reading.**

FISCAL

HB 2301: Vehicle Excise Tax Moneys

Reduces the annual amount of the motor vehicle excise tax to one and one-half percent of the value of the vehicle and revises the distribution formula for the tax. Applies to motor vehicle fees due after June 30, 1998. **House Finance.**

HB 2453: Motor Vehicle Excise Tax

Revises provisions relating to motor vehicle excise taxes. **House Finance.**

HB 2627/SB 6450: Supplemental Operating Budget

Provides supplemental appropriations. **House Appropriations/Senate Ways and Means.**

SHB 2724: Enforcement Moneys/Legislative Oversight

Provides that no state officer or employee may expend moneys received from fines, penalties, forfeitures, settlements, court orders, or other enforcement actions except as provided in a specific appropriation by law. **House Rules.**

HB 2801: Vehicle Excise Tax Revenues

Revises RCW 82.44.110 relating to disposition of motor vehicle excise tax revenues. **House Appropriations.**

HB 2930/SSB 6602: Carbonated Beverage Taxes

Provides a credit for carbonated beverage taxes against business and occupation taxes. **House Rules. Senate Rules.**

2SSB 6015: Water Recreation Facilities

Provides that no fee or fee increase may be adopted without a public hearing. A reduction in the operating permit fee of at least seventy-five percent shall be granted when a facility operator demonstrates a satisfactory level of training in pool safety, water quality, maintenance, and operations. **Senate Rules.**

SB 6112: Vehicle Excise Tax Reduction

Reduces the rate of motor vehicle excise tax on automobiles, motorcycles, light trucks, and motor homes by a general reduction in the value of vehicles to which the tax is applied. Reductions in revenue from the motor vehicle excise tax must be funded from projected surpluses in the state general fund so as to not have a detrimental effect on other programs receiving funds from the tax. **Senate Ways and Means.**

2SSB 6168: Temporary Worker Housing

Directs DOH to adopt by rule a temporary worker building code in conformance with the temporary worker housing standards developed under the Washington Industrial Safety and Health Act, Chapter 49.17 RCW, the rules adopted by the State Board of Health under RCW 70.54.110, and the designated guidelines. Requires that, by December 1, 1998, the Department of Labor and Industries shall adopt rules requiring electricity in all temporary worker

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housing and establishing minimum requirements to ensure the safe storage, handling, and preparation of food in these camps, regardless of whether individual or common cooking facilities are in use. **Senate Rules.**

INJURY PREVENTION

SHB 1978: Disposal of Firearms

Legal firearms may be either auctioned or traded to licensed dealers or destroyed if the following criteria are met: the firearm was offered for auction or trade and the offer was not accepted; and the firearm is unsafe or inoperative. **Senate Law & Justice. Executive Session: Senate Hearing Room 1, 2-19-98, 1:30PM.**

ESB 5242: Child Floatation Devices

Operators or persons permitting the operation of vessels under 19 feet in length must ensure that all passengers nine years of age and younger actually wear a United States Coast Guard approved PFD if the vessel is in motion. **House Natural Resources. Public Hearing: House Hearing Room C, 2-20-98, 8AM.**

PROFESSIONAL/FACILITIES LICENSING

2SHB 1618: Impaired Physician Programs

Makes technical revisions to provisions relating to treatment programs for impaired physicians. **House 2nd Reading.**

ESHB 2363: Nurse Delegation

Revises RCW 18.88A.030 and 18.88A.210 to adopt Department of Health recommendations removing barriers to nurse delegation. **Senate Health & Long Term Care. Public Hearing: Senate Hearing Room 4, 2-19-98, 10AM.**

SHB 2364: Health Professions Administrative Procedures

Revises RCW 43.70.280 to extend the authority of the Secretary of Health to write administrative rules for the health professions from July 1, 1998 to March 1, 1999. **Senate Health & Long Term Care. Public Hearing: Senate Hearing Room 4, 2-19-98, 10AM.**

HB 2410: Boarding Home Administration

Transfers oversight of boarding homes solely to DSHS. Takes effect January 1, 1999. **House Rules.**

SHB 2469: Blood Supply Donations

Requires any blood donor program receiving blood donations to establish a program and procedures to honor the requests by donors to have the blood donations directed for use to persons as specified by such donors. The blood donor program may keep up to one-third of the donated blood to increase the general blood supply for other non-directed patient transfusions. **House Passed 3rd.**

SHB 2774: Adult Family Homes

Creates an advisory committee on matters relating to the regulation of adult family homes. **House 2nd Reading.**

HB 2788: Nursing Assistant Training

Provides that the nursing care quality assurance commission shall direct the nursing assistant training programs to accept some or all of the skills and competencies from the curriculum modules towards meeting the requirements for a nursing assistant certificate. A process may be developed to test persons completing modules from a caregiver's class to verify that they have the transferable skills and competencies for entry into a nursing assistant training program. Directs the Department of Social and Health Services and the Nursing Care Quality Assurance commission to work together to develop an implementation plan by December 12, 1998. **Senate Health & Long Term Care. Public Hearing: Senate Hearing Room 4, 2-19-98, 10AM.**

EHB 2920/SB 6630: Counselor Continuing Ed

Certified counselors are responsible for obtaining thirty-six clock hours of continuing education during the two-year reporting period immediately preceding renewal of certification, at least six hours of which must be in professional ethics and law. **Senate Rules.**

2SHB 2935: Nursing Home Medicaid Reimbursement System

Implements the nursing facility Medicaid payment system. Exempts Bailey-Boushay House from case mix reimbursement. **House Rules.**

HB 2990: Boarding Home Accreditation

Recognizes the need to involve the boarding home industry, the consumers of assisted living and retirement services, the long-term care ombudsman, and state regulatory agencies in the collaborative process

of developing standards and procedures for accreditation of licensed boarding homes. Supports an industry-funded pilot program prior to changing or developing new standards for boarding home regulation. **House 2nd Reading.**

SHB 2998: Privately owned defibrillators

Provides a limited immunity for use of semiautomatic external defibrillators. **Senate Law & Justice.**

SSB 5447: Hospital Licensing Information

Establishes provisions for disclosure of information obtained by the Department of Health related to meeting licensing standards in hospitals. **Senate Health & Long Term Care. Public Hearing: House Hearing Room B, 2-20-98, 10AM.**

SSB 6382: Dental Hygienists/Sealants

Authorizes endorsed dental hygienists to provide sealants to low-income school children. Endorsed licensed dental hygienists must complete the Washington State Sealant Guidelines and training approved by the Department of Health. School populations who will receive dental sealants will be low-income, rural, and other at-risk populations. **Senate Rules.**

SSB 6550: Chemical Dependency Professionals

To protect the public by identifying individuals with demonstrated qualifications in the core competencies of addiction counseling and make government more efficient by consolidating duplicative regulatory activities into a single certification process. **House Health Care. Public Hearing: House Hearing Room B, 2-20-98, 10AM.**

SSB 6592: Intractable Pain Control

Authorizes a physician to prescribe or administer controlled substances to a person in the course of the physician's treatment of that person for a diagnosed condition causing intractable pain. A physician shall not be subject to disciplinary action by the department of health or the medical quality assurance commission under chapter 18.71 RCW for prescribing or administering controlled substances in the course of treatment of a person for intractable pain. A physician shall not be subject to criminal prosecution for prescribing or administering controlled substances in the course of treatment of a person for intractable pain. **Senate Rules. Public Hearing (if passes Senate): House Hearing Room B, 2-20-98, 10AM.**

REGULATORY REFORM

2SHB 2345: Administrative Law Revisions

Requires agencies to make a good faith effort to notify businesses affected by a rule within 90 days of the effective date of the rule. Agencies must also convene a meeting of persons affected by a significant legislative rule at least 20 days before the effective date. Agencies may file proposals for the expedited repeal of rules at any time, instead of only twice a year. The time period for JARRC to decide whether to impose the significant legislative rule requirements is extended from 45 to 75 days.

At least every four years, an agency must review a rule to evaluate whether the rule is: necessary to comply with the authorizing statute; providing the results that it was originally designed to achieve in a reasonable manner; written and organized in a clear and concise manner; consistent with the legislative intent of the authorizing statute; coordinated with other agencies and governmental jurisdictions to eliminate or duplication and inconsistency; resulting in equitable treatment of those required to comply with it; and achieving its goals in a cost-effective manner. Rules are not valid unless reviewed. An agency must prepare a local government economic impact statement when adopting a rule that imposes costs on local government. The statement must describe the reporting, record keeping, and compliance requirements of the proposed rule and analyze the costs of compliance by local government.

When a person contacts an agency regarding a rule the agency must identify any associated interpretive and policy statements, and documents of general applicability and provide copies of the documents upon request. An agency may not issue a citation or civil penalty related to a rule on which it issued a policy or interpretive statement or other document of general applicability, unless the agency has provided copies of the documents to the person being issued the citation or civil penalty at least 200 days prior to the issuance.

The composition of JAARC is modified. The legislative members must select a chair, by majority vote, other than one of the eight members. The chair votes only in the case of a tie. In addition to review of rules and policy and interpretive statements, JARRC may

review guidelines, and issuances of general applicability, and equivalents to determine whether the document constitutes a rule. If the committee determines that the document constitutes a rule, it may also examine whether the rule is within legislative intent. **House 2nd Reading.**

HJR 4214: Legislative Veto of Agency Rules

Proposes an amendment to the state Constitution to authorize legislative veto of agency rules. **House Rules.**

SSB 6575: Administrative Rules Review

Expands the power of the joint administrative rules review committee. **House Government & Land Use. Public Hearing: House Hearing Room E, 2-18-98, 8AM.**

STATE GOVERNMENT REORGANIZATION

SSB 6542: Family Policy Council

Increases the number of legislators on the council. Requires each of the twenty-three people who are members of each community public health and safety network to sign an annual notarized statement or declaration that clearly, in plain and understandable language, states whether or not he or she has a fiduciary interest. If a member has a fiduciary interest, the nature of that interest must be made clear, in plain understandable language, on the signed statement. **Senate Rules.**

TOBACCO

SHB 2541: Tobacco Settlement Receipts

Requires that all tobacco settlement receipts received by any state officer or employee shall be deposited in the health services account. **House Rules.**

SSB 6354: Tobacco Industry Settlements

Provides that, unless otherwise directed by an act of Congress or, in the case of a lawsuit against the tobacco industry, the ensured settlement or judicial determination, any recovery for damages received by the state in any such settlement or litigation, exclusive of costs and fees, shall be deposited into the health services account. **Senate Rules.**

SSB 6686: Tobacco Possession by Minors

Makes it illegal for a minor to possess or attempt to possess tobacco. Requires minors found guilty of pos-

session or purchase of tobacco to pay a fine and/or perform four hours of community service. The court may also order the minor into a tobacco cessation program. **Senate Rules.**

WELFARE REFORM

SHB 2589: TANF Eligibility

Requires TANF recipients to provide the names of both parents to DSHS at the time of application for Temporary Assistance for Needy Families at the time of application for benefits. This provision is waived for good cause when the applicant provides corroborating evidence that the disclosure would be detrimental for the child. **House 2nd Reading.**

SSB 6418: Support Enforcement

Implements technical amendments to the federal personal responsibility and work opportunity reconciliation act of 1996. **Senate Rules. §**

EDITORIAL STAFF

Patty Hayes, Legislative Director
(360) 586-7297

email: plh0303@hub.doh.wa.gov

Greg Smith, Editor Emeritus
(360) 664-8204

email: gts0303@hub.doh.wa.gov

Rae Simpson, Editor

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Legislative Cut Off Dates

February 17, 1998: Last day to consider own bills.

February 27, 1998: Last day to read in committee reports from opposite house, except House fiscal committees and Senate Ways & Means and Transportation committees.

March 2, 1998: Last day to read in opposite house committee reports from House fiscal committees and Senate Ways & Means and Transportation committees.

March 6, 1998: Last day to consider opposite house bills (except amendments, differences, conference reports, the interim, and business relating to closing session. §

LEGISLATIVE INTERNET LINKS

Legislative information can be accessed via the internet. The following are a few links that may be of interest:

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http://www.doh.wa.gov/publicat/98_legup.htm

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Washington State House of Representatives

<http://www.leg.wa.gov/www/house/members/housepg.htm>

Washington State Senate

<http://www.leg.wa.gov/www/senate.htm>

Washington State Governor's Home Page

<http://www.wa.gov/governor>

TVW indicates that TVW tentatively plans to televise either LIVE or on a tape delayed basis. For additional information on TVW scheduling or availability, please call TVW at (360) 586-5555, or visit the TVW web site at: www.tvw.org



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P.O. Box 47890

Olympia, WA 98504-7890

(360) 753-5871

(360) 586-7424 FAX

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